



OSMM&N File No. 214498US-3RD

Serial No. 09/964,459

In the matter of the Application of: Makoto JINNO

For: MANIPULATOR

Dept.: E/M

By: EHK:PAS:yes

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ Dep. Acct. Order Form
- ☒ Cover Letter (*in duplicate*)
- ☒ Petition for Consideration Under 37 C.F.R. 1.181(a)(3)
- ☒ Date-stamped Filing Receipt (*copy*)
- ☒ Information Disclosure Statement (*copy*)
- ☒ Statement of Relevancy (*copy*)
- ☒ Form PTO-1449 (*copy*)



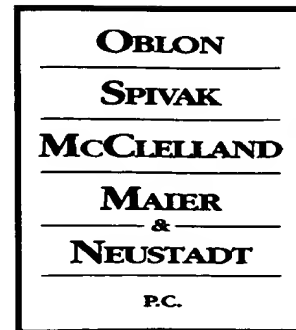
**COPY**

*yes*



Docket No.: 214498US3RD

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/964,459  
Applicants: Makoto JINNO  
Filing Date: September 28, 2001  
For: MANIPULATOR  
Group Art Unit: 3661  
Examiner: M. Marc

SIR:

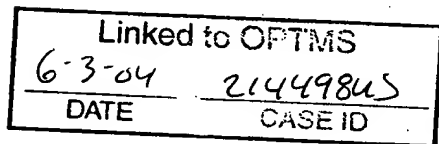
Attached hereto for filing are the following papers:

**Petition for Consideration Under 37 C.F.R. § 1.181(a)(3)**  
**Date-stamped Filing Receipt (copy)**  
**Information Disclosure Statement (copy)**  
**Statement of Relevancy (copy)**  
**Form PTO-1449 (copy)**

Our check in the amount of \_\_\_\_\_ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Customer Number

**22850**

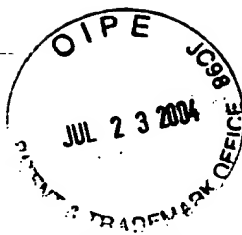
(703) 413-3000 (phone)  
(703) 413-2220 (fax)

Eckhard H. Kuesters  
Registration No. 28,870

Paul A. Sacher  
Registration No. 43,418

**COPY**

DOCKET NO: 214498US-3RD



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : EXAMINER: M. MARC  
MAKOTO JINNO :  
SERIAL NO: 09/964,459 : GROUP ART UNIT: 3661  
FILED: SEPTEMBER 28, 2001 :  
FOR: MANIPULATOR : ALLOWED: MAY 11, 2004

PETITION FOR CONSIDERATION UNDER 37 C.F.R. § 1.181(a)(3)

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a Petition pursuant to 37 C.F.R. § 1.181(a)(3) requesting that the Examiner be instructed by the Commissioner, or his representative, to notify Applicant of proper consideration of the Information Disclosure Statement (IDS) that was filed on December 27, 2001.

STATEMENT OF FACTS

On December 27, 2001, Applicant filed the above-noted IDS under 37 C.F.R. §§ 1.97 and 1.98, which filing is clearly documented by the attached copy of the associated date-stamped filing receipt and copies of the IDS papers including the Form PTO-1449. The PTO has not responded to this IDS filing by supplying Applicant with a copy of the Form PTO-1449, filed on December 27, 2001, that has been properly initialed by the Examiner.

Linked to OPTMSC	
6-4-04	214498W
DATE	CASE ID

COPY

POINT FOR REVIEW

The point for review is why Applicant has not been provided a copy of the above-noted Form PTO-1449, filed on December 27, 2001, properly initialed by the Examiner in compliance with the rules.

ACTION REQUESTED

In light of the above, it is respectfully requested that the Examiner be directed to provide Applicant a copy of the above-noted Form PTO-1449, filed on December 27, 2001, properly initialed by the Examiner in compliance with the rule.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)

EHK:PAS:ycs

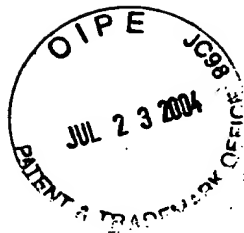
I:\ATTY\PAS\21\S\214498US\PETITION 1.181.DOC

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Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

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Registration No. 43,418

**COPY**



*Lab*

OSMM&N File No. 214498US3RD

Dept.: PP

By: CIM/smc

Serial No. 09/964,459

In the matter of the Application of: Makoto JINNO

For: MANIPULATOR

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ pp. Specification & Claims/Drawings      Sheets
- ☐ Combined Declaration, Petition & Power of Attorney      pages
- ☐ List of Inventor Names and Addresses
- ☐ Utility Patent Application      ☐ CPA
- ☐ Notice of Priority      ☐ Priority Doc
- ☐ Check for      ☒ Dep. Acct. Order Form
- ☐ Fee Transmittal Form
- ☐ Assignment/PTO-1595 pages:
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings      sheets      ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☒ Information Disclosure Statement      ☒ PTO-1449
- ☒ Cited References ( 3 )
- ☐ \_\_\_\_\_ Search Report
- ☒ Statement of Relevancy
- ☐ English Abstracts, Concise Explanation, English Translation, Partial English Translation ( )
- ☐ IDS/Related/List of Related Cases      ☐ Cited Pending Applications ( )
- ☐ Restriction Response      ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time



Due date: 12/27/01

**COPY**

Docket No. 214498US3RD/smc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Makoto JINNO  
SERIAL NO: 09/964,459  
FILED: September 28, 2001  
FOR: MANIPULATOR

GAU: 3731  
EXAMINER:

**INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:  
Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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C. Irvin McClelland  
Registration No. 21,124



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(OSMMN 10/98)

**COPY**

DOCKET NO: 214498US3RD

SERIAL NO: 09/964,459



Sheet 1 of 1

Group Art Unit: 3731

STATEMENT OF RELEVANCY

**Reference AA on Form 1449:**

This reference shows a wrist mechanism of master slave manipulator for laparoscopic surgery. But this is not a master slave combined manipulator. (Fig. 1 and Fig. 5)

**Reference AO (JP 2000-350735) on Form 1449:**

This reference shows our concept design of a master slave combined manipulator for laparoscopic surgery. (Fig. 1)

**Reference AP (JP 8-173442) on Form 1449:**

This reference shows a master slave manipulator for laparoscopic surgery. But the components are different from our design. (Fig. 1)

**COPY**

JUL 23 2004

SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		PATENT DOCKET NO. 214498US3RD		SERIAL NO. 09/964,459	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Makoto JINNO			
				FILING DATE September 28, 2001		GROUP 3731	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,797,900	08/25/98	Akhil J. MADHANI, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	2000-350735	12/19/2000	JAPAN (with English Abstract)			X
	AP	8-173442	07/09/96	JAPAN (with English Abstract)			X
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ						
Examiner					Date Considered		
<p>*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							

COPY